

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRICORE, INC.,
Plaintiff,

v.

SAFECO INSURANCE COMPANY OF
AMERICA, and R.P. IANNUCCILLO &
SONS CONSTRUCTION CO.,
Defendants.

CIVIL ACTION NO. 04-12393-JGD

STIPULATION OF DISMISSAL

It is hereby stipulated and agreed by and between the undersigned parties that, pursuant to Fed. R. Civ. P., Rule 41(a)(1)(ii), all parties hereby dismiss all of their respective claims, counterclaims and cross-claims against all other parties in the above-entitled action, with prejudice, without costs, and with all rights of appeal waived.

RESPECTFULLY SUBMITTED,

TRICORE CORPORATION

SAFECO INSURANCE COMPANY OF
AMERICA

By its Attorneys,

By its Attorneys,

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CONSTRUCTION CO.

By its Attorneys,

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CROSSCLAIM DEFENDANT
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AMERICA,

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Dated: July 5, 2006